

Serial No.: 10/776,876
Group Art Unit No.: 1624

REMARKS

Claims 1-12, 14, 15 and 19-22 are pending. Claims 1-12, 14, 15, 19, 21 and 22 have been rejected on the basis of double patenting in light of the claims of US patent 6,953,803 B1. Claim 20 is objected to as being dependent on a rejected base claim.

Claim 13 and 16-18 have been previously cancelled. Claim 20 has been amended herein.

Applicants request that the new amendments presented herein above be entered into the record.

Applicants note the examiner's statements on page 2 of the official action regarding the several amendments and deletions previously made and the fact those amendments address the 35 USC §112, 1st and 2nd paragraph issues raised before.

Enclosed is a terminal disclaimer disclaiming the term of a patent issuing from this application that may, by virtue of the 20-years from filing rule, result in the life of this patent extending over that of US patent 6,953,803B1. As per the provisions of 37 CFR §3.73(b), the disclaimer has been signed by the undersigned registered attorney of record. This paper is dispositive of the examiner's rejection of the extant claims based on the theory of nonstatutory double patenting created by the US judiciary.

Claim 20 has been amended herein to include the definition of the various substituents on the core pyrimidinone ring, and thereby incorporating into claim 20 the limitations of claim 1, as requested by the examiner.

In view of the above remarks, reconsideration of this application is requested. Should the Examiner have any questions or wish to discuss any aspect of this case, the Examiner is encouraged to call the undersigned agent at the number below.

Respectfully submitted,

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